

YOUR RIGHTS:

You have the right to make a complaint against any Police Department member for any improper police conduct. You have the right to have your complaint investigated in an objective manner, even if the investigation reveals there is not enough evidence to warrant any action on your complaint.

YOUR RESPONSIBILITIES:

You have a responsibility to make your complaint truthfully, and in good faith. It is against the law to make a complaint that you know to be false. Filing a malicious or false complaint is a crime and can be prosecuted as a misdemeanor.

Police Service Complaints



Your Rights and Responsibilities

Revised 11/29/04

SERVICE COMPLAINTS ARE IMPORTANT

Police officers today are an unmistakable symbol, not only of the law, but of the community they serve. Because of this, they are held to a higher standard of conduct by citizens and the Police Department.

Police officers are confronted with resolving complex social problems on a daily basis. Most of the time, they do an excellent job. However, there are times when the actions of the officer or the policies of the Police Department do not match the expectations of the community. When this occurs, we need to step back and take a look at the circumstances to ensure that the Police Department responded in a lawful and ethical manner. By bringing service complaints to our attention, you help us identify problems within the Department and areas in which we may improve. This is your right and responsibility.

The Morgan Hill Police Department will professionally and objectively investigate all citizen complaints as expeditiously as possible. This is the only way to arrive at all the facts which will quickly resolve misunderstandings, clear the officer's name or substantiate the citizen's complaint so that corrective action can be taken.

Bruce Cumming
Chief of Police

DOES THIS MEAN THE POLICE DEPARTMENT WANTS COMPLAINTS?

Of course not. A complaint may mean that someone hasn't done a good enough job, but we do want to know when our service needs to be improved or corrected.

HOW CLOSELY WILL YOU REALLY INVESTIGATE?

Very closely! We want to find out exactly what went wrong and why. Everyone who files a complaint in good faith deserves that. By the same token, if a person knowingly makes a false complaint, we need to find that out too. This is a crime that can be prosecuted

WHO WOULD INVESTIGATE MY COMPLAINT?

The officer's supervisor normally investigates your complaint. Sometimes misunderstandings can be clarified right away. Other times, we may have to conduct a formal investigation. In some cases, a special investigator may be assigned to investigate the complaint. The Chief of Police reviews all complaints against Department members.

DO I HAVE TO COMPLAIN IN PERSON?

We do prefer to talk to you in person, but we will accept a complaint by telephone or letter if necessary. It won't make any difference in the attention we give the complaint. However, we will need to meet with you to obtain your signature as required by law (§148.6(b) PC).

I'M UNDER 18; DO I HAVE THE RIGHT TO COMPLAIN?

Yes, just bring one of your parents, guardian, or a responsible adult in with you.

WILL I BE TOLD HOW THE COMPLAINT CAME OUT?

Yes. You will receive a letter from the Chief of Police telling you the disposition of our investigation.

WHAT IF I'M NOT SATISFIED WITH THE RESULTS OF THE INVESTIGATION?

We certainly hope that would not happen. You should contact the Chief of Police with any questions you might have.

Our goal at the Morgan Hill Police Department is that you will never need to use the information contained in this folder. We don't want to fail in our continuing efforts to give **YOU** the best possible police service.